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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,556	01/14/2004	Roger B. Aboujaoude	ATT/2003-0021	3034

26652 7590 07/15/2009

AT&T CORP.
ROOM 2A207
ONE AT&T WAY
BEDMINSTER, NJ 07921

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 07/15/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/757,556

Examiner

THOMAS MANSFIELD

Applicant(s)

ABOUJAOUDE ET AL.

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on *31 March 2009* is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Thomas Mansfield/
Examiner, Art Unit 3624

/Bradley B Bayat/
Supervisory Patent Examiner, Art Unit 3624

Continuation of 4(e) Other: Non-responsive amendment. In the previous office action mailed 31 December 2008, Claims 1-9 and 11 were rejected again for the second time under 35 USC 101 for not producing useful, concrete and tangible results. The Applicant has not amended Claims 1-9 and 11 and by merely stating that the specification provides results for steps performed in Claim 1 is not a proper reply to the rejection under 35 USC 101, and thus, the instant application is considered non-responsive with a one month or 30-day response time to comply under 37 C.F.R. 1.121 or 1.4. Also, the previous office action mailed 31 December 2008, Claims 1-9, 11-20, and 22 were rejected again for the second time under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claims 1-9 and 11 have not been amended to recite statutory subject matter for the claim limitation steps and by merely stating that the specification provides statutory support for the limitation steps is not a proper reply to the rejection under 35 USC 101, and thus the instant application is considered non-responsive. Although the applicants have amended Claims 12-20 and 22 to recite, "of at least one server", the amendment is still not considered enough to properly recite statutory subject matter with regards to the "enterprise function module", which could be software per se. Applicant is requested to properly reply to the rejections under 35 USC 101 in accordance with 37 CFR 1.121 or 1.4. The applicant is also welcome to contact the examiner for additional information and help with regards to the current claim rejections under 35 USC 101..